REPORT OF THE COMMITTEE ON PRIVILEGES.

Presentation.

Sri Y. MANJAYYA SHETTY (Chairman).—I present the Report of the Committee of Privileges.

Mr. SPEAKER.—The Report of the Committee of Privileges is presented to the House. It will be taken up for consideration on a date to be fixed. Next Motion by Sri R. M. Patil.

PRIVILEGE MOTION *Re:* THE CONDUCT OF CERTAIN MEMBERS DURING THE ADDRESS OF THE GOVERNOR.

Sri R. M. PATIL (Minister for Home).—Sir, I beg to move :

"That a Committee of this House be appointed to examine in all its procedural and constitutional aspects of conduct of certain members on 12th January 1965 when the members of both Houses were assembled together just before the Governor began to address them in pursuance of the Constitutional obligation on him under Article 176 (1), created interruption and made affront by a walkout, protesting the address and thereby committed an unconstitutional act and showed disloyalty to the Constitution and disrespect to the State and lowered the dignity and decorum of this August House and to report what action, if any, should be taken against them."

Mr. SPEAKER.—Motion moved :

"That a Committee of this House be appointed to examine in all its procedural and constitutional aspects of conduct of certain members on 12th January 1965 when the members of both Houses were assembled together just before the Governor began to address them in pursuance of the Constitutional obligation on him under article 176 (1), created interruption and made affront by a walkout, protesting the address and thereby committed an unconstitutional act and showed disloyalty to the Constitution and disrespect to the State and lowered the dignity and decorum of this August House and to report what action, if any, should be taken against them."

Sri K. LAKKAPPA (Hebbur).—I rise to a point of order. A similar motion was moved by Sri Ganji Veerappa pertaining to the same subject and the House has been seized of it. It also relates to the taking of action for offences or interruptions committed by Hon'ble members during the Governor's Address.

Mr. SPEAKER.—Has that been moved ?

Sri K. LAKKAPPA.—It was on the agenda but it was not moved.

Mr. SPEAKER.—The Hon'ble Members' representation is that there was a motion before the House and that acts as a bar.

Sri K. LAKKAPPA.—That motion appeared on the agenda on that day.

Mr. SPEAKER.—That is not a good reason.

Sri K. LAKKAPPA.—Even the Hon'ble Member has not stated any reason whatsoever whether he is moving or withdrawing it.

SriG. V. GOWDA (Palya).—The point is similar motions cannot be moved.

Mr. SPEAKER.—Will the Hon'ble Member kindly tell me the reasons in support of his contention.

Sri G. V. GOWDA.—The only thing is can two members bring the same motion during the same Session ?

Mr. SPEAKER.—That point has been mentioned by Sri Lakkappa There are no two resolutions now before the House. There is only one. Mere inclusion in the Agenda does not tantamount to a motion being seized by the House. The House becomes seized of it when it is moved. Before Sri Ganji Veerappa could move the motion, one day one member raised objection and another day another member raised objection. Therefore, it cannot be deemed to have been moved and unless the Member is able to say something in support of his contention, I have to overrule it and say there is nothing that stands in the way and if there is anything that stands in the way, the Hon'ble Member should have mentioned it before it was moved because objection is to the moving of it, not to the deliberation or discussion of it. Once the motion is before the House, it is to be discussed and dealt with in any manner according to the rules of procedure. The Hon'ble Member did not say before it was moved that it should not be entertained. But I have overlooked the small procedural detail. Even taking that point into consideration I say there is nothing that prevents the House from dealing with this matter.

Sri G. V. GOWDA.—I submit Sir, that the motion brought in this form is not in order.

Mr. SPEAKER.—Should the Hon'ble Member not move it earlier ?

1-00 P.M.

Sri G. V. GOWDA.—The Hon'ble Minister for Home wants a committee to be appointed to examine the contents of this motion. This would arise only after the House gives the leave. After the House takes a decision either to decide the matter by itself or to refer the matter to the Committee of Privileges...

Mr. SPEAKER.—I am afraid Members are having a certain confusion in their minds.

Sri G. V. GOWDA.—Sir, leave has to be given under rule 180. Sir, I am bringing to your kind notice that rules 177—181 are applicable to the present issue. Rule 177 deals with the question of privilege. Rule 178 says that a member wishing to raise a question of privilege shall

give notice to the Secretary before the commencement of the sitting. The Speaker has got to give his leave under rule 180 (1) and then only the question of referring the matter to the committee of privileges or the House itself deciding the issue, shall arise. Rule 181 says that if leave under rule 180 is granted, the Assembly may consider the question and come to a decision or refer it to a committee of privileges on a motion made either by the member who has raised the question of privilege or by any other member. In this case, the Hon'ble Minister has already taken for granted that the House has given leave for this matter to be referred to the Committee of Privileges. He has not followed the procedure contemplated in the Rules. Therefore my submission is that it is not in order and it is premature. Even before asking this House to a committee for examining the whole affair, the House has to take a decision either to deal with the matter itself or refer it to the Committee of Privileges.

The second point is whether the breach of privilege is committed against either House or a Member of the Assembly or a Committee thereof. The motion refers to an unconstitutional act and showed disloyalty to the Constitution, disrespect to the State and lowered the dignity and decorum of the House. Only one particular instance has been brought into the purview of 177. It says' showed disloyalty to the Constitution and disrespect to the State'. These are matters which, according to my humble opinon, are not covered by the question of privilege under 177-178, because if he has acted against the Constitution, my humble submission is, it will not be a motion of privilege of this House. If it is disloyalty shown to His Excellency, my submission is that it is not disrespect shown to the House.

Mr. SPEAKER.—Has he finished or is he raising a third point.

Sri G. V. GOWDA.—These are the two points, Sir. I have not spoken on merits.

Mr. SPEAKER.—I will not allow him to say anything on merits. So, I take it that he has said all that he wanted to say.

Sri G. V. GOWDA.—Yes, Sir.

Mr. SPEAKER.—Now the Hon'ble Member has deliberately confused himself despite the fact that I have given a long ruling covering 10 pages on the floor of this House and all the time that has lapsed from the date of the incident till now that this point should have been raised now is something quite unhappy. I do not know why the Hon'ble Member thinks that this is a reference to Privileges Committee. Members are aware that there is a privilege committee and if there is a privilege committee, no new committee can be constituted for the purpose, names cannot be given by the Hon'ble Minister who has moved the motion, he has made that thing as a privilege motion, but for the consideration of the entire matter in all its aspects. with regard to constitutional provisions, decency or otherwise, the propriety or otherwise he has referred to these things.

(MR. SPEAKER)

The second point raised by the Hon'ble Members answers the first point. He says the only point can be done with regard to the reference to privileges committee is the one matter that has been referred to and the rest of the matters are outside.

Therefore, he started with a confusion in thinking that it is a reference to privileges committee. This is a special committee to deal with this entire subject. I overrule the objections and say that it is in perfect order. I suppose all Members are agreed that so far as the incident is concerned, that it should not occur again; or does anybody uphold his conduct?

Sri G. V. GOWDA.—No, Sir.

Sri V. S. PATIL (Belgaum).—Sir, we are still under the impression that one of the ways of disapproving the conduct of the Government.

Mr. SPEAKER.—Is the conduct of the Government now before us?

Sri V. S. PATIL.—Because the Governor is the head of the executive and in order to show that we disapprove the working of his subordinates...

Mr. SPEAKER.—Is the Member seriously suggesting that he is disapproving the conduct of the Head of the State?

Sri V. S. PATIL.—Because he is unable to control these persons?

Mr. SPEAKER.—Is he to control?

Sri V. S. PATIL.—He has to control. He is the Head of the Executive and these Ministers are just there to advise him, according to the Constitution. If the administration goes to dogs by corruption and all these things, we feel Sri, that we are entitled to show...

Sri R. M. PATIL.—If the Hon'ble Member yields, I will submit, Sir. The expression used by Sir V.S. Patil when he is referring to Ministers or the executive or the Treasury Bench as 'these persons' in a contemptuous way is highly objectionable.

Sri V. S. PATIL.—I have to repeat again that the action of these Ministers who have not at all been controlled by the head of the executive, we have got right to express our displeasure.

Mr. SPEAKER.—Get me the Constitution and point out the article under which it should be done.

Sri V. S. PATIL.—There is no provision in the Constitution about the way in which we can express our displeasure or discontent on the actions of the executive.

Mr. SPEAKER.—May I request him to point out the article that he has in his mind so that the House may know and refer to the contents of the article and then deal with it.

Sri V. S. PATIL.—The Government is appointed as per Part VI of the Constitution. This matter is dealt with there. Article 154 says that the executive power of the State shall be vested in the Governor and shall be exercised by him either directly or through officers subordinate to him in accordance with this Constitution. Further on, in article 163, it is stated that there shall be a Council of Ministers with the Chief

Minister at the head to aid and advise the Governor in the exercise of his functions, except in so far as he is by or under this Constitution required to exercise his functions or any of them in his discretion. So the working of the present administration or the executive is completely against the wishes and the interests of the State as well as the people. The present Governor of the State is unable to control these Ministers or Council of Ministers. In order to show that this kind of administration is not liked by the people, it is the only way before the representatives of the people in this House to point out to the Governor that the administration is not approved by the people.

MR. SPEAKER.—Is the Hon'ble Member talking on the preliminary point, or is he debating?

SRI V. S. PATIL.—I am not debating on merits.

MR. SPEAKER.—With a view to clarify the position.....

SRI V. S. PATIL.—Because he is the head. We come here just to point out the defects of the administration or the executive whether they are following the rules, whether they are governing the State in a proper manner or not. For that reason we come here. We are unable to control them. We expect the Head of the State to control these persons in order to have good administration. That is the reason why we come. To show our approval, that is the only way, I feel, in which we can approach the Governor.

MR. SPEAKER.—From all that the Hon'ble Member has said, I am unable to find whether he wanted to debate or whether he was speaking on a preliminary point. He said he did not want to debate. I have not called on the Hon'ble Member to participate in the debate. There can be no debate unless the mover of the Motion has his say. As a seasoned parliamentarian, Sri Patil knows this. I suppose he simply wanted to intervene. If it is a point of order, it has been dealt with. I want to know from the Hon'ble Member, before I call upon the Minister to have his say, what he has to say—whether he supports the conduct of the members. If he says so, I will certainly give him a chance to support his position. I thought every one said that the obstruction caused by the members on the day of the Address is not proper conduct. I wish to know from Sri patil whether this was proper conduct.

SRI V. S. PATIL.—Yes, Sir. According to me, it is proper conduct.

MR. SPEAKER.—Then, he has to wait for his turn. I would not have said anything at all now, except for the peculiar situation raised by the Hon'ble Member. The Hon'ble Member says these are the Ministers created under such and such an article and under such and such an article the Governor's office is created. In another article not only the Ministers are created but also their functions. Therefore, he has got great wrath or anger, whatever it is, against the Council of Ministers. Therefore, he thinks this is the only way to approach the Governor, by showing disrespect to the Head of the State. His reasoning is that the Governor is not able to control the Ministers.

(MR. SPEAKER)

When the Constitution is there, the Council of Ministers are there, if this Hon'ble Member or any other Hon'ble Member is not satisfied, he has got a right of moving a motion and say that they have no confidence in the Council of Ministers and therefore they should be sent out. If such a resolution is passed and the Head of the State does not accept, I can understand the viewpoint of the Hon'ble Member. This is apart from other consideration that may or may not be under the Constitution. But for the Hon'ble Member to say that I do not think a motion of no-confidence or if it is brought it is not accepted by the House, and therefore, I will imagine in my own mind that the Governor is unable to control his Ministers and therefore I justify the conduct of the members—I do not think that this kind of justification is right especially at the preliminary state. Now, the Hon'ble Minister may say whatever he wants to say on his motion.

SRI R. M. PATIL.— Sir, In support of this motion, I wish to submit one important factor. Under article 175 of the Constitution of India the right of the Governor to address and send messages to the House or the Houses is upheld. It is an obligation on the part of the Governor to address the House. Under article 176, clause 1, it is said that the commencement of the first session after each general election ...the Governor shall address the Legislative Assembly or, in the case of a State having a Legislative Council, both Houses assembled togegether and inform the Legislature of the causes of its summons. This being an obligatory duty on the part of the Governor, it is our imperative duty to see that that the Address in made in this House without any obstruction. Secondly, I may point out that under article 154, it is true that the Governor is appointed. As to the functions of the Governor, if my Hon'ble friend Mr. Patil reads the further clause, it will be clear to him. The executive power of the State thall be vested in the Governor and shall be exercised by him either directly or through officers subordinate to him in accordance with this Constitution. The second clause says that nothing in this article shall be deemed to transfer to the Governor any functions conferred by any existing law on any other authority, or prevent Parliament or the Legislature of the State from conferring by law functions on any authority subordinate to the Governor. Such being the state of affairs, I wish to submit to this House that the Governor represents the State. When he comes and appears in this House, he is the image of the State. From that point of view, he being the image of the State, any effront to him, any obstruction to the further functioning of the Governor and any sort of objection raised by the members is not in consonance with the Constitution. From that point of view, if we analyse the wording of swearing, the words that are mentioned in the Third Schedule—they run like this, The form is : "I, A.B., having been elected a member of the Legislative Assembly do swear in the name of God that I will bear true faith and allegiance to the Constitution of India as by law established and that I will faithfully

discharge the duty upon which I am about to enter''. The Hon'ble Member swears in the name of God that he will abide himself by the Constitution Then, acting against the Constitution is itself an unconstitutional act and showing disrespect to the Governor is showing disloyalty to the State. Therefore, I submit that this is a breach of the Constitution and this is a breach of loyalty to the State. Under these circumstances, I have submitted this motion to be moved.

Secondly, when we are to observe certain formalities, it is incombent on us to see that the constitutional procedure is followed and at the same time, the procedure of this House must also be observed. When the Members are giving an effront to the Governor, it goes to show that it is disrespect to the Governor and as such the Motion that I have moved by way of a Privilege Motion in respect of breach of privilege is perfectly in order and perfectly in accordance with the Constitution.

Sri V. S. PATIL.—Sir, I have heard the Hon'ble Minister for Home very patiently and tried to follow his reasoning while supporting his Motion. Sir, disloyalty to the State—I do not understand the meaning of the words used by the Hon'ble Minister with regard to the walk-out by Members of this House. Disloyalty to the State is a very wide term and I do not think that it will come here in any way and it cannot be interpreted in the sense in which the Minister wants it to be interpreted. Disloyalty to the State State may include even disloyalty to the Nation. Further, it may mean treachery to the country. So, can this thing be stretched to such a length, simply because the Opposition tried to show their displeasure and discontentment to the Head of the State because the administration was not working properly ? Does it mean or can it be stressed to mean that they are treacherous to the county or trecherous to the State ? This is a far-fetched interpretation attempted to be applied by the Hon'ble Minister in charge of this particular motion.

Sri C. J. MUCKANNAPPA (Sira).—Sir, on a point of clarification, I refer to rule 181.

> "If leave under rule 180 is granted, the Assembly may consider the question and come to a decision or refer it to a Committee of Privileges on a motion made either by the member who has raised the question of privilege or by any other member."

So, are we discussing the merits or demerits ef this Motion or is the Hon'ble Speaker referring the this matter to a Committee ? Names of Members are to be indicated at the time of making the motion. I wanted to know about it from the Speaker.

Mr. SPEAKER.—This is not a Motion under rule 181. It is not going to the Privilege Committee. It is going to be a Special Committee. Therefore, in order to see that there has been no procedural mistake, I wanted to permit a little discussion. I am not permitting the whole discussion here. He has said : a reference to a Committee. Unless the House takes

(MR. SPEAKER)

a decision it will not be possible to take a further course. When it is put to the House, the House may say : let it go to the Committee or we shall decide it here and now. The position is very clear.

Sri C. J. MUCKANNAPPA.—This is a privilege motion. That is why I was under the impression that this will go to the Privilege Committee. Unless you suspend all the rules at the instance of a Member and give leave .....

Mr. SPEAKER.—That resolution is not a privilege resolution going to the Privileges Committee.

Sri SIDDAIAH KASHIMATH (Shirahatti).—In the Agenda, it is put as Privilege Motion.

Mr. SPEAKER.—It does not cover privilege alone. Privilege is something. All these points have to be discussed. May I take it that it is the opinion of the House that it goes to the Committee ? If it is not to go to the Committee, I will permit some discussion.

Sri C. J. MUCKANNAPPA.—Sir, this is one of the strangest things that has happened in Mysore. It is not a privilege motion but a special motion. May I request the Hon'ble Chair, under what provisions of the Rules of Procedure, this is brought ? Have you suspended the Rules of Procedure ? If that is done, I have no objection.

Mr. SPEAKER.—It was made more than clear and I read a note all about this and whether it is a duly constituted committee and who is to preside and all that. All these matters are there. Therefore, I helped the Members to understand it. Members are again asking whether it is a special motion or whether it is a privilege motion ? I am not here to explain beyond the normal capacity. Now, he brings it as a special resolution. I do not know whether he has the Company Act in his mind. All I know is the Motion. The Motion is made and the Motion is discussed and the House comes to a conclusion. Now, Sri Patil may continue.

Sri C. J. MUCKANNAPPA.—Please, let me understand what itis Sir.

Mr. SPEAKER.—I will explain after Sri Patil has finished. Simply because a Member wants to know something the work of the House cannot be suspended.

Sri S. SIVAPPA.—Sir, Sri Muckannappa has rightly suggested that the Mover of the Motion should have said how he is moving the Motion and under what provisions.

Mr. SPEAKER.—'It is the fault of the Mover in not having cited the rule' ; it is absurd ; nothing short of it after it is moved ;

Sri V. S. PATIL.— Sir, the Hon'ble Minister referred to articles 175 and 176. These articles refer to the Address to be given by the Governor to this House or to both Houses. That is one of the duties imposed upon him. As there are several duties on every individual of the State, the

Constitution has thrown so many duties on so many institutions and so many citizens. The Constitution has not thrown the duty on the Governor alone.

There are so many duties cast upon the Council of Ministers and the Government. If the Hon'ble Minister's argument is to be taken literally, then the most unconstitutional behaviour could be applied to the Council of Ministers or the Executive because they are not carrying out the duties imposed upon them by the Constitution. Therefore. to characterise our behaviour as unconstitutional behaviour just because we staged a walk out is rather absurd when they themselves are committing day in and day out several unconstitutional acts.

(At this juncture, the Leader of the Oppsition crossed the Floor).

1-30 P.M.

Mr. SPEAKER.—The Hon'ble Member does not observe the rule.

Sri S. M. KRISHNA (Maddur).—That happens every day.

Mr. SPEAKER.—Is that a justification ?

Sri V. S. PATIL.—I know, Sir, that on one or two occasions you have pulled up one or two Ministers for crossing the floor.

Mr. SPEAKER.—Would he kindly tell me what are the unconstitutional acts of the Ministers for which he contemplates any action ?

Sri V. S. PATIL.—This is not the occasion and there is no time. If you permit me, Sir, I will bring out the whole list of unconstitutional acts done by this Government.

Mr. SPEAKER.—And for that, a committee is to be constituted.

Sri V. S. PATIL.—We do not want it because no useful purpose will be served.

Mr. SPEAKER.—If he follows up that argument and says that here are the unconstitutional acts for which a committee is to be appointed, I will consider it.

Sri V. S. PATIL.—So far as constitutional behaviour, conduct, etc., are concerned, Parliament is the proper authority because Parliament alone can interpret or amend the Constitution.

Mr. SPEAKER.—We cannot interpret ?

Sri V. S. PATIL.—No. We are not in position to supplement or subtract from it or do anything so far as the Constitution is concerned. We are bound by every provision of it.

Mr. SPEAKER.—Whoever wants to go beyond the Constitution ?

Sri V. S. PATIL.—The Parliament has gone beyond the original concept and amended the Constitution seventeen or eighteen times. Parliament can do it ; it is not our business. Therefore, the wording used in this resolution and the expression made by the Hon'ble Minister on the floor of this House that our conduct on that particular occasion

(SRI V. S. PATIL)

was unconstitutional is not correct. He has referred to Schedule III. We do not swear that we will follow the Constitution, but at the same time I have to point out that those who are acting unconstitutionally or against the spirit of the Constitution must realise their own responsibility. Because we are in a minority and we cannot succeed in this House, it is no use bringing in a resolution or getting any committee appointed. That is why I should like to request the Hon'ble Minister not to press this particular resolution, especially in view of the fact that on several occasions, even in this House, walk-outs had been staged when His Excellency the Governor was about to address the joint session.

MR. SPEAKER.—Is it the contention of the Hon'ble Member that it should be repeated ?

SRI V. S. PATIL.—No, that is a different matter. This year, there was a walk-out even in Parliament by two members.

MR. SPEAKER.—Absolutely not. Let him not proceed on wrong presumption. If he holds that it is a model worthy to be copied by the succeeding generations, let him mention that and let it go on record.

SRI V. S. PATIL.—I do not mean to say that those things should be followed here. What is the trend in our country ? Sir, I feel that I should draw your attention to the Preamble of our Constitution which says : " We, the people of India, having solemny resolved to constitute India into a sovereign democratic Republic and to secure to all its citizens, etc, etc." That means the people are supreme and are superior even to the Constitution ; people are the masters of the country and not the Constitution.

MR. SPEAKER.—That does not mean that the people can behave in any manner they like.

SRI V. S. PATIL.—The feelings of the people whom we represent have got to be expressed on the floor of the House. Of course, what are the means—that we have to decide ; that is a different matter. We come here to express the wishes of the people who are the matters of the country. So far as the privileges and rights of the Governor or the Members of this House are concerned, they are still to be determined by Parliament by law. That has not at all been done. Till that is done, it is no use beating about the bush and doing all these things. If the Hon'ble Minister and his Colleagues want to have a committee, let them examine it and if they come to the conclusion that those who have staged a walk out should be debarred from the service of our House for one year or two years or life long, we do not care.

MR. SPEAKER.—The last word is quite unhappy. By using that word, he does not have love or affection or confidence or respect for the House.

SRI V. S. PATIL.—They do not want to go into the question as to whether our argument is reasonable, when the question of party comes in and our argument falls to the ground.

(Sri G. V. Gowda rose)

Mr. SPEAKER.—I do not want to allow any prolonged discussion.

Sri G. V. GOWDA.—It is not going to be unlimited discussion.

Mr. SPEAKER.—I will allow another twenty minutes and give chances only to those who want to say something against.

†ಶ್ರೀ ಎಸ್. ಎಂ. ಕೃಷ್ಣ.—ಅಧ್ಯಕ್ಷರೇ, ನಿನ್ನೆ ಮತ್ತು ಮೊನ್ನೆ ಶ್ರೀ ಗಾಂಜಿ ವೀರಪ್ಪನವರ ನಿರ್ಣಯ ಹೋಗಿ ಈ ದಿವಸ...

ಅಧ್ಯಕ್ಷರು.—ಏಕೆ ಹೋಯಿತು ?

ಶ್ರೀ ಎಸ್. ಎಂ. ಕೃಷ್ಣ.—ಏತಕ್ಕಾದರೂ ಹೋಗಲಿ. ಹೋಗಿರತಕ್ಕದ್ದು ನಿಜ. ಈಗ ಗೃಹ ಮಂತ್ರಿಗಳ ನಿರ್ಣಯ ಸಭೆಯ ಮುಂದೆ ಬಂದಿದೆ. ನಾವು ರಾಜ್ಯಪಾಲರ ಭಾಷಣದ ದಿವಸ ರಾಜ್ಯಪಾಲರಿಗೆ ಯಾವ ವಿಧವಾದಂಥ ಅವಮಾನವನ್ನು ಮಾಡಬೇಕು ಅಥವಾ ನಮ್ಮ ಗೌರವವನ್ನೂ ಕೂಡ ತೋರಿಸಬಾರದು ಎಂಬ ಉದ್ದೇಶದಿಂದ ನಾವು ಸಭಾತ್ಯಾಗ ಮಾಡಿದವರಲ್ಲ.

ಈ ಸರ್ಕಾರದ ಧೋರಣೆಯ ವಿರುದ್ಧ ನಮ್ಮ ಪ್ರತಿಭಟನೆಯನ್ನು ವ್ಯಕ್ತಪಡಿಸುವ ದೃಷ್ಟಿಯಿಂದ ಆ ದಿವಸ ನಾವು ಸಭಾತ್ಯಾಗ ಮಾಡಿದೆವು. ಈಗ ಏನೊಂದು ಕಲ್ಪನೆ ಮಾಡುವುದಕ್ಕೆ ಸಾಧ್ಯವಿದೆ ಎಂದರೆ, ವಿರೋಧ ಪಕ್ಷದವರು ಏನೋ ಒಂದುದೊಡ್ಡ ಅಪರಾಧವನ್ನ ಮಾಡಿದ್ದಾರೆ. ರಾಜ್ಯಾಂಗಕ್ಕೆ ಕುಠಾರ ಪ್ರಾಯವಾದಂತಹ ಮನೋಭಾವನೆಯನ್ನೇನಾದರೂ ಅವರು ಇಟ್ಟುಕೊಂಡಿದ್ದಾರೆಯೋ ಏನೋ ಎನ್ನುತಕ್ಕಂತಹ ಅನುಮಾನ ಬರತಕ್ಕ ರೀತಿಯಲ್ಲಿ ಮಾನ್ಯ ಗೃಹ ಮಂತ್ರಿಗಳು ಅವರ ನಿರ್ಣಯವನ್ನು ಈ ಸಭೆಯ ಮುಂದೆ ಇಟ್ಟಿದ್ದಾರೆ. ಚ್ರೈಜರಿ ಬೆಂಚಿನಲ್ಲಿ ಕುಳಿತುಕೊಂಡಿರತಕ್ಕ ಮಾನ್ಯ ಸದಸ್ಯರು ರಾಜ್ಯಾಂಗದ ವಿಷಯದಲ್ಲಿ ಏನು ನಿಷ್ಠೆಯನ್ನು ಹೊಂದಿದ್ದಾರೆಯೋ ಅಷ್ಟೇಮಟ್ಟಿನ ನಿಷ್ಠೆಯನ್ನು ಅವರ ಎದುರಿಗೆ ಕುಳಿತುಕೊಂಡಿರತಕ್ಕ ಸದಸ್ಯರೂ ಇಟ್ಟುಕೊಂಡಿದ್ದಾರೆ ಎಂಬುದನ್ನು ನಮ್ಮ ಸ್ನೇಹಿತರನೇಕರು ಈಗಾಗಲೇ ಶ್ರುತಪಡಿಸಿದ್ದಾರೆ. ವ್ಯೆಯುಕ್ತಿಕವಾಗಿ ರಾಜ್ಯಪಾಲರ ಸ್ಥಾನಮಾನವನ್ನು ತೃಣೀಕರಿಸಿತಕ್ಕ ದೃಷ್ಟಿಯಿಂದ ಆ ದಿವಸ ನಾವು ಸಭಾತ್ಯಾಗವನ್ನು ಮಾಡಲಲ್ಲ. ನಾವು ಆ ದಿವಸ ಸಭಾತ್ಯಾಗ ಮಾಡುವುದಕ್ಕೆ ಬಹಳ ಗಹನವಾದ ಒಂದು ವಿಚಾರ ಇತ್ತು. ಅದು ಏನೆಂದರೆ 1964ನೇ ಇಸವಿ ಸೆಪ್ಟಂಬರ್ ತಿಂಗಳಿನಲ್ಲಿ ಆಹಾರದ ಅಭಾವ ಪರಿಸ್ಥಿತಿ ಉಂಟಾಗಿ ಅದು ತೀರಾ ಉಲ್ಬಣಗೊಂಡಾಗ ಸರ್ಕಾರ ತಳೆದಂತಹ ನೀತಿಯ ವಿಷಯದಲ್ಲಿ ನಮ್ಮ ಪ್ರತಿಭಟನೆಯನ್ನು ಸರ್ಕಾರಕ್ಕೆ ವ್ಯಕ್ತ ಮಾಡಿದೆವು. ಅನಂತರ ಮುಖ್ಯ ಮಂತ್ರಿಗಳಿಗೆ ಶಾಸನಸಭೆಯನ್ನು ಕರೆಯ ಬೇಕೆಂದು ನಾವು ಒಂದು ಪತ್ರವನ್ನು ಬರೆದವು. ಅದಕ್ಕೆ ಅವರು ಇಷ್ಟರಲ್ಲೇ ನಾವು ಶಾಸನ ಸಭೆಯನ್ನು ಕರೆಯುತ್ತೇವೆ ಎಂದು ಆಶ್ವಾಸನೆಯನ್ನು ಕೊಟ್ಟರು. ಅನಂತರ ನಾವು ರಾಜ್ಯಪಾಲರನ್ನು ಭೇಟಿಮಾಡಿ ರಾಜ್ಯಾಂಗದ ಪ್ರಕಾರ ತಮಗೆ ಕೊಟ್ಟಿರತಕ್ಕಂಥ ಅಧಿಕಾರವನ್ನು ಉಪಯೋಗಿಸಿಕೊಂಡು ತಕ್ಷಣ ಶಾಸನ ಸಭೆಯ ಅಧಿವೇಶನವನ್ನು ಕರೆದು ದೇಶದ ಆಹಾರ ಪರಿಸ್ಥಿತಿಯನ್ನು ಶಾಸನ ಸಭೆಯಲ್ಲಿ ಚರ್ಚೆಮಾಡುವುದಕ್ಕೆ ಅವಕಾಶವನ್ನು ಕಲ್ಪಿಸಿ ಕೊಡಬೇಕೆಂದು ನಮ್ಮ ಮನವಿಯನ್ನು ರಾಜ್ಯಪಾಲರ ಮುಂದೆ ಇಟ್ಟೆವು. ರಾಜ್ಯಪಾಲರ ಹತ್ತಿರ ನಮಗೆ ಬಹು ಒಳ್ಳೆಯ ಅವಕಾಶ ಸಿಕ್ಕಿತು. ಅವರು ನಮ್ಮೊಡನೆ ಬಹಳ ಚೆನ್ನಾಗಿ ಮಾತನಾಡಿದರು. ಆದರೆ ಏನೂ ಪ್ರಯೋಜನವಾಗಲಿಲ್ಲ. ಅನಂತರ ಕೊನೆಗೆ ರಾಜ್ಯಾಂಗವಿಧಿತವಾದ 6 ತಿಂಗಳ ಅವಧಿ ಮುಗಿಯಲು ಒಂದು ದಿನ ಇದ್ದಾಗ ಶಾಸನ ಸಭೆಯ ಅಧಿವೇಶನವನ್ನು ಕರೆಯಲಾಯಿತು. ಒಂದು ವಿಚಾರವನ್ನು ಮಾತ್ರ ಮಾನ್ಯ ಸಭಾಪತಿಯವರು ಮರೆಯಬಾರದು ಅದು ಏನೆಂದರೆ, ಈಗ ಸರ್ಕಾರದವರು ಜನತಂತ್ರದ ಚೌಕಟ್ಟಿನಲ್ಲಿ ಮತ್ತು ಪ್ರಜಾಪ್ರಭುತ್ವದ ಚೌಕಟ್ಟಿನಲ್ಲಿ ಕೆಲಸಮಾಡುತ್ತಿದ್ದಾರೆ ಎಂಬುದನ್ನು 1935ರ ಆಕ್ಟ್ ಪ್ರಕಾರ ಕೂಡ ಗವರ್ನರು ಶಾಸನ ಸಭೆಯನ್ನು ಉದ್ದೇಶಿಸಿ ಭಾಷಣ ಮಾಡುವಾಗ, ಈಗ ಇಲ್ಲಿ ಕುಳಿತುಕೊಂಡಿರತಕ್ಕ ಜನ ಯಾವ ಮನೋಭಾವನೆಯನ್ನು ಹೊಂದಿ ರಾಜ್ಯಪಾಲರ ಮೇಲೆ ಜನಗಳ ಪರವಾಗಿ ಹೋರಾಟ ಮಾಡತಕ್ಕ ಕಾಲದಲ್ಲಿ ಎಂಥಾ ಮನೋಭಾವನೆಯನ್ನು ಪ್ರತಿಬಿಂಬಿಸಿದರು ? ಅದನ್ನು ಅವರು ಈಗ ಸ್ವಲ್ಪ ಜ್ಞಾಪಕಕ್ಕೆ ತಂದುಕೊಳ್ಳಲೇಬೇಕು. ಹಿಂದೆ ನೀವು ಯಾವರೀತಿ ಅಪರಾಧಗಳನ್ನ ಮಾಡುತ್ತಿದ್ದಿರೋ ಅದೇ ರೀತಿ ಈಗ ಇವರೂ ಎಂದರೆ ವಿರೋಧಪಕ್ಷದವರು ಅಪರಾಧಗಳನ್ನು ಮಾಡುತ್ತಿದ್ದಾರೆ ಎಂದು ಅದನ್ನು ತಾವು ಸಹಿಸಿಕೊಂಡು ಕುಳಿತುಕೊಳ್ಳಬೇಕು. ಸರ್ಕಾರದ ನೀತಿಗೆ ಪ್ರತಿಭಟನೆಯನ್ನು ವ್ಯಕ್ತಪಡಬೇಕಾದ್ದು ನಮ್ಮ ಮುಂದಿರತಕ್ಕ ಪ್ರಶ್ನೆ. ರಾಜ್ಯಪಾಲರು ಭಾಷಣವನ್ನು ಮಾಡುವಾಗ ಸಭಾತ್ಯಾಗ ಮಾಡಬಾರದು, ಸಭಾತ್ಯಾಗ ಮಾಡುವುದು ತಪ್ಪು, ಅದು ರಾಜ್ಯಾಂಗಬಾಹಿರವಾಗುತ್ತದೆ ಎನ್ನುವ ವಿಚಾರದಲ್ಲಿ ಕಟ್ಟುನಿಟ್ಟಾಗಿ ಒಂದು ತೀರ್ಮಾನಕ್ಕೆ ಯಾವ ಶಾಸನ ಸಭೆಯೂ ಕೂಡ ಇನ್ನೂ

(ಶ್ರೀ ಎಸ್. ಎಂ. ಕೃಷ್ಣ)

ಬಂದಿಲ್ಲ ಎಂದು ನಾನು ಭಾವನೆ ಮಾಡುತ್ತೇನೆ. ಹಿಂದೆ ಲೋಕಸಭೆಯಲ್ಲಿ ನಡೆದ ವಿಚಾರವನ್ನು ನಾವು ಪುನ್ರಾವಲೋಕನ ಮಾಡಬಹುದು. ಲೋಕಸಭೆಯಲ್ಲಿ ರಾಷ್ಟ್ರಪತಿಗಳು ಭಾಷಣ ಮಾಡುವಾಗ ಸದಸ್ಯರು ರಾಷ್ಟ್ರಾಧ್ಯಕ್ಷರಿಗೆ ಗೌರವವನ್ನು ಸೂಚಿಸದೆ ಅಗೌರವವನ್ನು ಸೂಚಿಸತಕ್ಕ ವರ್ತನೆಯನ್ನು ಮಾಡುತ್ತಾ ಹೋದರೆ ಅವರ ಮೇಲೆ ಕ್ರಮವನ್ನು ತೆಗೆದುಕೊಳ್ಳಬಹುದು ಎನ್ನತಕ್ಕಂಥ ಒಂದು ವರದಿಯನ್ನು ಲೋಕಸಭೆ ಪರಿಶೀಲಿಸಿದೆ. ನಾವು ಈ ದಿವಸ ಬಹಳ ಕಳಕಳಿಯಿಂದ ಸಭಾಪತಿಯವರ ಮೂಲಕ ಸರ್ಕಾರದವರಿಗೆ ಪ್ರಾರ್ಥನೆ ಮಾಡಿಕೊಳ್ಳುತ್ತೇವೆ. ಮುಂದೆ ಇಂಥಾ ಘಟನೆಗಳು ಒದಗದಂತೆ ಇರಬೇಕಾದರೆ ನಿಮ್ಮ ಮನೋಭಾವನೆಯಲ್ಲಿ ಮೂಲಭೂತ ಬದಲಾವಣೆಗಳು ಆಗತಕ್ಕದ್ದು ಅವಶ್ಯಕವಾಗಿದೆ. ಎಲ್ಲಿಯವರೆಗೆ ನೀವು ರಾಜ್ಯಾಂಗಕ್ಕೆ ನಿಷ್ಠೆಯಿಂದ ನಡೆದುಕೊಳ್ಳುವುದಿಲ್ಲವೋ, ಎಲ್ಲಿಯವರೆಗೆ ನೀವು ರಾಜ್ಯಾಂಗಕ್ಕೆ ಜನಗಳಿಗೆ ನಿಷ್ಠೆಯನ್ನು ತೋರಿಸುವುದಿಲ್ಲವೋ ಅಲ್ಲಿಯವರೆಗೂ ಕೂಡ ನಾವು ಪ್ರತಿಭಟಿಸುತ್ತೇವೆ. ರಾಜ್ಯಪಾಲರ ಭಾಷಣ ಪ್ರಾರಂಭವಾಗುವುದಕ್ಕೆ ಮೊದಲೇ ನಮ್ಮ ದೇಶದ ಜನತೆ ನಮ್ಮ ಕಡೆ ನೋಡುತ್ತಿದ್ದಿತು. ಈ ಸಭೆಯಲ್ಲಿ ಕುಳಿತುಕೊಂಡಿರತಕ್ಕ ವಿರೋಧಪಕ್ಷದ ಮಾನ್ಯ ಸದಸ್ಯರು ಯಾವ ರೀತಿ ಸರ್ಕಾರದ ನೀತಿಯನ್ನ ಪ್ರತಿಭಟಿಸುತ್ತಾರೆ ಯಾವ ರೀತಿ ತಮ್ಮ ವಿರೋಧವನ್ನು ಸರ್ಕಾರಕ್ಕೆ ಜೋರಿಸುತ್ತಾರೆ ಎಂದು ಜನತೆ ನಿರೀಕ್ಷಣೆ ಮಾಡುತ್ತಿದ್ದರು. ವಿರೋಧಪಕ್ಷಕ್ಕೆ ಸೇರಿದ 55-60 ಮಂದಿ ಸದಸ್ಯರಾದ ನಾವು ನಮ್ಮ ರಾಜ್ಯಪಾಲರಿಗೆ ಅವಮಾನ ಆಗತಕ್ಕ ರೀತಿಯಲ್ಲಿ ವರ್ತನೆಯನ್ನು ಮಾಡಲಿಲ್ಲ. ಅವರು ಅವರ ಭಾಷಣವನ್ನು ಪ್ರಾರಂಭ ಮಾಡುವುದಕ್ಕೆ ಮೊದಲೇ ಈ ಸರ್ಕಾರದ ಧೋರಣೆಯನ್ನು ವಿರೋಧಿಸುವ ದೃಷ್ಟಿಯಿಂದ ನಾವು ಸಭಾತ್ಯಾಗ ಮಾಡುತ್ತೇವೆ ಎನ್ನುವ ಒಂದು ವಾಕ್ಯವನ್ನು ಉಚ್ಚಾರಮಾಡಿ ನಾವು ಈ ಸಭೆಯಿಂದ ವಿರಮಿಸಿದೆವು. ಮಾನ್ಯ ಗೃಹಮಂತ್ರಿಗಳು ನಾವು ಸಭಾತ್ಯಾಗ ಮಾಡಿದ ಒಂದು ಕೃತಿಯನ್ನು ಮಾತ್ರ ಕಮಿಟಿಯಲ್ಲಿ ಪರಿಶೀಲನೆ ಮಾಡಿದರೆ ಅದರಿಂದ ಪ್ರಯೋಜನವಾಗುವುದಿಲ್ಲ. ಸಭಾತ್ಯಾಗ ಆಗುವುದಕ್ಕೆ ಮುಂಚೆ ಒದಗಿ ಬಂದ ಕಷ್ಟಗಳನ್ನೂ ಕೂಡ ಸಮಿತಿಯವರು ವಿಚಾರ ಮಾಡುವುದಕ್ಕೆ ಅವಕಾಶವನ್ನು ಮಾಡಿ ಕೊಡಬೇಕೆಂದು ನಾನು ಪ್ರಾರ್ಥನೆ ಮಾಡಿಕೊಳ್ಳುತ್ತೇನೆ. ನಾವು ಆಗ ಸಭಾತ್ಯಾಗವನ್ನು ಮಾಡಿರುವುದು ರಾಜ್ಯಪಾಲರಿಗೆ ಅಗೌರವವನ್ನು ಸೂಚಿಸುವುದಕ್ಕೆ ಮಾಡಿದಂತಹ ಸಭಾತ್ಯಾಗ ಎಂದು ಹೇಳುವುದಕ್ಕೆ ನಾವು ತಯಾರಾಗಿಲ್ಲ. ರಾಜ್ಯಪಾಲರ ಹುದ್ದೆಯನ್ನು ; ತೆಗೆಯಬೇಕೇ ಬೇಡವೇ ಎನ್ನುವುದು ನಮ್ಮ ಪ್ರಣಾಳಿಕೆಯಲ್ಲಿ ಇದೆ. ಅದು ಬೇರೆ ವಿಚಾರ; ಸಮಯ ಬಂದಾಗ ಆ ಒಂದು ತತ್ವವನ್ನು, ನೀತಿಯನ್ನು ನಾವು ಪ್ರತಿಪಾದನೆ ಮಾಡುತ್ತೇವೆ. ಈಗ ಎಲ್ಲಿಯವರೆಗೆ ರಾಜ್ಯಾಂಗದಲ್ಲಿ ರಾಜ್ಯಪಾಲರು ಇರುವುದಕ್ಕೆ ಅವಕಾಶವನ್ನು ಕೊಡುತ್ತದೆಯೋ ಅಲ್ಲಿಯವರೆಗೂ ನಾವು ರಾಜ್ಯಪಾಲರಿಗೆ ಗೌರವವನ್ನು ಸೂಚಿಸುತ್ತೇವೆ. ರಾಜ್ಯಾಂಗಕ್ಕೆ ನಿಷ್ಠೆಯನ್ನು ಸೂಚಿಸುತ್ತೇವೆ. ಆದ್ದರಿಂದ ಈ ಠರಾವಿನಲ್ಲಿ ರಾಜ್ಯಾಂಗಕ್ಕೆ ಅವಮಾನವಾಯಿತು, ರಾಜ್ಯಾಂಗಕ್ಕೆ ಇವರು ಭ್ರಷ್ಟರಾಗಿದ್ದಾರೆ ಎಂದು ಮಾನ್ಯ ಗೃಹಸಚಿವರು ಆಪಾದನೆ ಮಾಡಿದರು. ನಿಜವಾಗಿಯೂ ಇದು ಸತ್ಯಕ್ಕೆ ದೂರವಾದ ಮಾತು. ರಾಜ್ಯಾಂಗಕ್ಕೆ ಏನೂ ಅಪಚಾರ ನಡೆದಿಲ್ಲ. ರಾಜ್ಯಾಂಗಕ್ಕೆ ಅಪಚಾರ ನಡೆದಾಗ ಅಂಥಾದ್ದನ್ನು ನಾವು ಸಹಿಸುವುದಕ್ಕೆ ಸಾಧ್ಯವಿಲ್ಲ ಎನ್ನುವ ಆಶ್ವಾಸನೆಯನ್ನು ಮಾತ್ರ ಮಾನ್ಯ ಗೃಹ ಸಚಿವರಿಗೆ ನಾನು ಕೊಡುತ್ತೇನೆ.

† **Sri G. V. GOWDA.**—Mr. Speaker, Sir, I have heard the statement.....

Mr. SPEAKER.—The scope of the debate is limited as the motion is or to be referred to the Committee. Incidentally I would not object to anybody saying that this is the best conduct on the part of a member. But if it is a question of prolonged discussion, no conclusion is going to be arrived at today. In that light the discussion can proceed.

Sri G. V. GOWDA.—Before condemning an act as unconstitutional or showing disrespect to the Governor, in my opinion there should be *mensria*, there should be a positive evidence to show that we intended to show any disloyalty or disrespect to the Governor. In fact, I would like to refer and bring to your notice the sentence in the statement that you were pleased to make .....

Mr. SPEAKER.—The entire sentence will go to the Committee.

Sri G. V. GOWDA.—This was what you said :

" I have no doubt that the members who walked out as a protest when the Governor was addressing or the Leader of the Opposition when he read out one sentence from a note in his hand had the remotest idea in their minds to insult the Governor or were actuated by any desire to wound his feelings. "

Mr. SPEAKER. —Is it my opinion ? Every member seems to be harping on that.

Sri G. V. GOWDA.—This is the real state of affairs.

Mr. SPEAKER.—What is the real state of affairs.

Sri G. V. GOWDA.—That there was no intention.....

Mr. SPEAKER.—The resolution which was sought to be brought before the House was objected.

Sri G. V. GOWDA.—Yes.

Mr. SPEAKER.—Therefore it has to be determined.

Sri G. V. GOWDA.—There was no intention to show any disrespect to the Governor.

Mr. SPEAKER.—The Committee will go into it.

Sri G. V. GOWDA.—This has been observed by our goodself in the statement made to us. Apart from that, as I have already said, unless the intention is known, it cannot be taken for granted that it was the intention of the members to show disrespect to the Governor or to commit acts which were unconstitutional, and the like. There is nothing either positive or by implication. As I have already stated a breach of privilege can be in respect of this House. Yesterday, I remember, I made an observation—at the time the Excellency starts delivering the Address, it cannot be treated that the House is duly constituted as required under rule 12, because our Hon'ble Speaker would not be presiding on the occasion and the House cannot be said as duly constituted. I endorse every word that has been spoken by my friend Sri S. M. Krishna in this respect and I would further submit that in ventilating our grievance by uttering one sentence and staging a peaceful walk-out, would amount to showing disrespect to the Excellency. It has not been stated anywhere that staging of peaceful walk out at the time of Excellency's Address would amount to an unconstitutional act, much less an act of disloyalty to the Governor. Therefore, I am submitting that this need not be referred to any committee because no question of any breach is involved, much less any act of disloyalty or act of unconstitutional thing is done by the Hon'ble Members.

Sri M. R. PATIL (Hubli).—Mr. Speaker, it appears that this matter is likely to be referred to a committee. I must express whatever doubts I have with regard to the soundness and reasoning behind this

(SRI R. M. PATIL)

resolution. With all respect to the Minister who has sponsored this motion, if I have understood him rightly, what he meant was that the Governor represents the State and that therefore a work out staged on the floor of this House would amount to disrespect, or contempt and therefore this is a matter of breach of privilege and be referred to the Privileges Committee. Sir, I am not quite conversant, I must admit, with the provisions of the Constitution or the rules of the procedure. But, one thing that is troubling my mind is, if the position of the Governor who represents the State, is sacrosanct and if a more walk out by the members of the opposition or whoever they may be, would amount to contempt, then my submission is that whatever falls from his mouth should be equally sacrosanct. The Constitution and the Rules of Procedure permit the members of this House to debate upon and attack the Address which the Governor delivers to this House and if in course of the Address the members attack the Government, it does not amount to contempt. My submission is, I am unable to reconcile the privilege of the members to attack the contents of the Address with the view that the members who merely walked out of this House, wanted corrosive contempt.

Mr. SPEAKER.—Has anybody contended like that, that the Governor should be sacrosanct as to say no discussion ? Is it not provided otherwise ?

Sri M. R. PATIL.—Here, the Governor is addressing the House on behalf of his Government. My submission is that the Address is delivered by the Governor as the head of his Government.

Mr. SPEAKER.—Please refer to the Constitution and point out that the Governor addresses on behalf of the Government.

Sri M. R. PATIL.—But, that is supposed to be so. At the initia stage I submitted that it is a doubt in my mind.

Mr. SPEAKER.—So it is only a point. Let it be better studied by the Committee. They will examine it.

Sri M. R. PATIL.—My submission is that the committee which may be appointed may look in to this point also before they come to any conclusion.

ಶ್ರೀ ಸಿದ್ದಯ್ಯ ಕಾಶೀಮಠ್.—ನಾನಾದರೂ ಈಗಾಗಲೆ ಹೇಳಿದ ಹಾಗೆ, ಈ ಮನೆಯ ಮೆಂಬರುಗಳು ಅಷ್ಟೇ ಅಲ್ಲ, ಮೇಲ್ಮನೆಯ ಸದಸ್ಯರುಗಳು ಕೂಡ ರಾಜ್ಯಪಾಲರಿಗೆ ಯಾವ ತರಹ ಅಗೌರವ ಕೃತ್ಯವನ್ನು ಮಾಡಬೇಕೆಂಬ ಉದ್ದೇಶವಿರಲಿಲ್ಲ. ಇದರಲ್ಲಿ ಮೇಲ್ಮನೆಯ ಸದಸ್ಯರೂ ಇದ್ದರು. ಆದ್ದರಿಂದ ಮೇಲ್ಮನೆಯ ಸದಸ್ಯರ ಮೇಲೆ ಕೂಡ ಏನಾದರೂ ಕ್ರಮವನ್ನು ತೆಗೆದುಕೊಳ್ಳುವುದಕ್ಕೆ ಹಕ್ಕು ಇದೆಯೆ ಎಂದು ಪ್ರಶ್ನಿಸಬೇಕಾಗಿದೆ. ಇನ್ನು ಮುಂದಾದರೂ ಕೂಡ ಯಾವಾಗಲೂ ರಾಜ್ಯಾಂಗಕ್ಕೆ ಮತ್ತು ರಾಜ್ಯಪಾಲರಿಗೆ ಯಾವ ತರಹ ಅಗೌರವ ಕೃತ್ಯ ಮಾಡದೆ, ಈ ಪ್ರಜಾಪ್ರಭುತ್ವದಲ್ಲಿ ಪ್ರಜಾಪ್ರತಿನಿಧಿಗಳಾಗಿ ಇಲ್ಲಿ ಆಗತಕ್ಕಂಥ ಲೋಪದೋಷಗಳನ್ನು ಎತ್ತಿ ಹಿಡಿಯುವುದಕ್ಕೆ ಸಿದ್ಧರಿದ್ದೇವೆ. ಸರಕಾರದವರು ವಿರೋಧಪಕ್ಷದವರ ಮೇಲೆ ಯಾವುದಾದರೂ ತರಹ ಆಪಾದನೆಯನ್ನು ಹೊರಿಸುವ ದೃಷ್ಟಿಯಿಂದ ಈ ರೀತಿ ತರಾವನ್ನು ತಂದಿದ್ದಾರೆ. ಇದನ್ನು ಯಾವ ಕಮಿಟಿಗೂ ರೆಫರ್ ಮಾಡಬಾರದ್.

Mr. SPEAKER.—It does not come with good grace from the Hon'ble member. The resolution lays down conduct for the future.

†ಶ್ರೀ ವಿ. ಎಂ. ದೇವ್ (ಗುಬ್ಬಿ).—ಸ್ವಾಮಿ, ಎಲ್ಲಾ ಸಂದರ್ಭದಲ್ಲೂ ಮಾನ್ಯರಾಜ್ಯಪಾಲರ ಭಾಷಣದ ಸಮಯದಲ್ಲಿ ಸದಸ್ಯರು ಅವರ ಜಾಗದಿಂದ ಎದ್ದು ಹೋಗುವುದಕ್ಕೆ ಹಕ್ಕು ಮಂಜೂರು ಮಾಡಬೇಕೆಂದು ಹೇಳುತ್ತಾ ಇಲ್ಲ; ಎಲ್ಲಾ ಕಾಲವೂ ಸರಿಹೋಗುವುದಿಲ್ಲ, ಆದರೆ ನಾನು ಇಷ್ಟು ಹೇಳುತ್ತೇನೆ. ಈ ಸಭೆ ಇರುವುದು ಸರಕಾರಕ್ಕೆ ಕೊಡುವುದು ಮತ್ತು ಏನ ದರೂ ಒಂದು ಲೆಜಿಸ್ಲೇಶನ್ ತರುವುದಕ್ಕೆ. ಆದರೆ ಈಗ ಸಂದರ್ಭ ಯಾವುದು ನಡೆದಿದೆ ಅನ್ನುವುದನು ನೋಡಬೇಕು. ಇದು ಜನಗಳ ಹಸಿವಿನ ಸಂದರ್ಭ. ಆದ್ದರಿಂದ ಸಂದರ್ಭ ಎಂತಹದು ಎಂದು ನೋಡಬೇಕು. ನಮ್ಮ ದೇಶದಲ್ಲಿ ಅದು ಹೊರತಲ್ಲ. ಆದು ಸಾಧುವಾಗುತ್ತದೆ. ಇದನ್ನು ಖಂಡಿತವಾಗಿ ಜವಾಬ್ದಾರಿ ಯಿಂದ ಹೇಳುತ್ತೇನೆ. ಒಂದನೆಯದು, ಸಲಹೆ ಒದಗಿಸಲು, ಜನಗಳು ಹಸಿವು ಇದ್ದಾಗ ಕರೆಯದೆ ಇದ್ದರೆ.....

ಅಧ್ಯಕ್ಷರು.—ಹಸಿವು ಇದ್ದರೆ ಲೂಟಿ ಮಾಡಬಹುದು!

ಶ್ರೀ ವಿ. ಎಂ. ದೇವ್.—ಡೆಫಿನೆಟ್ ಆಗಿ ಆಗಬಹುದು. ನಾನು ಕಾರಣ ಹೇಳುತ್ತೇನೆ, ಒಪ್ಪಿಕೊಳ್ಳುತ್ತೀರಿ. ತಾವು ಬೆಂಕಿ ಆಗುತ್ತೀರಿ. ಈ ಸಭೆ ಆದಮೇಲೆ, ಜನಗಳು ಹಸಿವಿನಿಂದ ಇದ್ದಾಗ, ಸಲಹೆಯನ್ನು ಕೊಟ್ಟಾಗ ಒಂದು ಉಪೇಕ್ಷೆಯಿಂದ ಇರುತ್ತಾರೆ. ಇದೇ ಸಂದರ್ಭದಲ್ಲಿ ನಾನು ಒಂದು ಮಾತು ಹೇಳಬಯಸುತ್ತೇನೆ. ಪ್ರಪಂಚದಲ್ಲಿ ಎಲ್ಲಿಯೇ ಆಗಲಿ, ಭಯ ಬಂದು ಪ್ರಪಂಚ ಹಾಳಾಗಿ ಹೋಗಬೇಕಾದರೆ, ಅದು ಒಂದು ಸಂದರ್ಭದಲ್ಲಿ ಬರುತ್ತದೆಂದು ಹಿಂದೆ ನೆಹರು ರವರು ಹೇಳಿದ್ದಾರೆ. ಅದು ಹಸಿವು ಇದ್ದರೆ ಆಗುತ್ತದೆ. ಆದ್ದರಿಂದ ಆ ಸಂದರ್ಭ ಯಾವಾಗಲೂ ಬರುವುದಿಲ್ಲ. ಸರಕಾರದಲ್ಲಿ ಇನರ್ಶಿಯವಿದ್ದರೆ, ಅದರಲ್ಲಿ ಯಾವಾಗ ಮಾಂದ್ಯ ಮನೆ ಮಾಡಿತೆಂದರೆ, ಅದು ಕೆಲಸ ಮಾಡದೆ ಕರ್ತವ್ಯ ಬಾಹಿರವಾದರೆ, ಖಂಡಿತವಾಗಿಯೂ ಸಂದರ್ಭವಾಗುತ್ತದೆ. ಆಮೇಲೆ ನೀವು ಈ ಸಂದರ್ಭವನ್ನು ಕಮಿಟಿಗೆ ರೆಫರ್ ಮಾಡುತ್ತೇನೆಂದು ಹೇಳುತ್ತೀರಿ. ಹೋಗಲಿ ಅಲ್ಲಿ ಚೆನ್ನಾಗಿ ನೋಡುತ್ತಾರೆಯೆ? ಒಂದು ಅಬ್ಜೆಕ್ಟಿವ್ ಡಿಸಿಷನ್ ತೆಗೆದುಕೊಳ್ಳುತ್ತಾರೆಂದರೆ, ಹೂ ಅನ್ನಬಹುದು. ಮಾನ್ಯ ಕಾಂಗ್ರೆಸ್ ಸದಸ್ಯರುಗಳನ್ನು ರೂಮುಗಳಲ್ಲಿ ನೋಡಿದ್ದೇನೆ. "45 ರೂಪಾಯಿ ನಿಮ್ಮಿಂದ ಬಾಕಿ ಇದೆ, ನಿಮ್ಮನ್ನು ಯಾವ ಕಮಿಟಿಯ ಮೆಂಬರಾಗಿಯೂ ಹಾಕುವುದಕ್ಕೆ ಆಗುವುದಿಲ್ಲ.....ಎಂದು ಹೇಳುತ್ತಿರುತ್ತಾರೆ. ನೈತಿಕವಾಗಿ ಕೇಳುವವರೇ ಇಲ್ಲ: ಇಂಥ ಜನತೆಯ ಕೈಯಲ್ಲಿ ಈ ದೇಶ ಒಂದು ವಿಪತ್ತಿಗೆ ಒಳಗಾಗುವ ಸಂದರ್ಭದಲ್ಲಿದೆ. ಸಣ್ಣಪುಟ್ಟದು ಇದ್ದರೆ ನೀವು ಇರುತ್ತೀರ? ನೀವು ಏನು ಮಾಡುತ್ತೀರಿ ಅಂದರೆ, ದೊಡ್ಡ ಪ್ರಶ್ನೆ ಬಂದಾಗ ಓಡಿ ಹೋಗುತ್ತೀರಿ. ಅದು ನನಗೆ ರೂಢಿ ಇಲ್ಲ.

Mr. SPEAKER.—Order, order.

Sri V. M. DEO.—I want to face it.

Mr. SPEAKER.—Let the Member kindly hear me fully. He is imputing to me with lack of courage. I am prepared to fight. Is he willing to fight? Let him come to the point.

ನಾನು ತಮ್ಮಲ್ಲಿ ಒಂದು ಮಾತನ್ನು ಇಲ್ಲಿ ಹೇಳಬೇಕಾಗಿದೆ. ಇದನ್ನು ತಾವು ಚೆನ್ನಾಗಿ ಅರ್ಥಮಾಡಿಕೊಳ್ಳಬೇಕು. ನಾವು ಹೊಚ್ಚೆತುಂಬ ಊಟ ಮಾಡಿಕೊಂಡು ಇಲ್ಲಿ ಸರಕಾರದ ಕಡೆಯವರು ಒಂದು ತರಹದ ಮಾಂದ್ಯದ ಭಾವನೆಯಿಂದ .....

Mr. SPEAKER.—Order, order. I will have to direct the Hon'ble member to resume his seat, if he does not bring any new points. ಅದೇನು ಮಾಂದ್ಯ ಎಂದು ತಾವು ಹೇಳುವುದು? ಈ ತರಹ ಹೇಳಬೇಡಿ.

Order, order.

ಶ್ರೀ ವಿ. ಎಂ. ದೇವ್.—ಒಂದು ನಿಮಿಷದಲ್ಲಿ ಎಲ್ಲವನ್ನೂ ಹೇಳುತ್ತೇನೆ.

ಅಧ್ಯಕ್ಷರು.—ತಾವು ಸಮಯವಿದೆ ಎಂದು ಯಾವ ಹೊಸ ಪಾಯಿಂಟುಗಳನ್ನೂ ಹೇಳುತ್ತಿಲ್ಲ.

ಶ್ರೀ ವಿ. ಎಂ. ದೇವ್.—ನಾನು ಹೇಳುವುದು ಇಷ್ಟು. ಪರಿಸ್ಥಿತಿಯ ಅರಿವು ನಮಗೆಲ್ಲರಿಗೂ ಗುಂಟಾಗಬೇಕೆಂದು ಕಮಿಟಿಗೆ ಹೋದರೆ ಅದಕ್ಕೆ ಎಷ್ಟು ನ್ಯಾಯ ದೊರೆಯಬೇಕೋ ಅಷ್ಟು ಕೊಡುವುದಿಲ್ಲ.

Mr. SPEAKER.—The Hon'ble member, may kindly resume his seat.

ಶ್ರೀ ಪಿ. ಎಂ. ದೇವ್.—ನನಗೆ ತಾವು ಹೀಗೆ ರಿಂಗ್ ಮಾಸ್ಟರ್ ಹಾಗೆ ಬೆಲ್ಲನ್ನು ಹೊಡೆಯುತ್ತಿರುವುದರಿಂದ ಬಹಳ ವ್ಯಥೆಯಾಗಿ ನಾನು ಕುಳಿತುಕೊಳ್ಳುತ್ತೇವೆ.

2-P.M.

† ಶ್ರೀ ಎಸ್. ಶಿವಪ್ಪ (ಶ್ರವಣಬೆಳಗೊಳ).—ಮಾನ್ಯ ಸಭಾಪತಿಗಳೇ, ನಮ್ಮ ಶಾಸನಸಭೆಯ ಇತಿಹಾಸದಲ್ಲೇ ಇಲ್ಲದಂತಹ ಮತ್ತು ಎಂದೂ ಕಾಣದ ಪರಿಸ್ಥಿಧಿಯನ್ನು ಇವೊತ್ತು ನಾವು ನೋಡುತ್ತಿದ್ದೇವೆ. ನಮ್ಮ ದೇಶನಲ್ಲಿ ಪ್ರಜಾಪ್ರಭುತ್ವ ಬಹಳ ಒಳ್ಳೆಯ ತಳಹದಿಯ ಮೇಲೆ ಇರಬೇಕು ಎಂದು ನಾವೆಲ್ಲರೂ ನಂಬುತ್ತೇವೆ. ಈ ಸಭೆಯ ಘನತೆ, ಗಾಂಭೀರ್ಯಗಳನ್ನು ಎತ್ತಿ ಹಿಡಿಯುವುದರಲ್ಲಿ ಆಡಳಿತದ ಕಡೆಯಲ್ಲಿರುವ ಸದಸ್ಯರುಗಳಿಗೆ ಎಷ್ಟು ಅಭಿಮಾನವಿದೆಯೋ ಅದಕ್ಕಿಂತಲೂ ಹೆಚ್ಚಿನದು ನಮ್ಮಲ್ಲಿ ಎಲ್ಲರಿಗೂ ಇದೆ ಎಂದು ಈ ಸಭೆಯಲ್ಲಿ ಸಭಾಪತಿಗಳ ಮೂಲಕ ತಿಳಿಸಲು ಇಚ್ಛಿಸುತ್ತೇನೆ. ಮಾನ್ಯ ಗೃಹ ಮಂತ್ರಿಗಳ ಮುಖಾಂತರ ಬಂದಿರತಕ್ಕ ನಿರ್ಣಯದಲ್ಲಿ ಒಂದು ಸೂಚನೆ ಏನಿದೆ ಎಂದರೆ, ರಾಜ್ಯಪಾಲರು ಭಾಷಣದ ಸಮಯದಲ್ಲಿ ವಿರೋಧಪಕ್ಷದ ಸದಸ್ಯರುಗಳು ಸಭಾತ್ಯಾಗ ಮಾಡಿದ ಒಂದು ಘಟನೆಯು ಮೇಲೆ ಅವಲಂಬಿಸಿರತಕ್ಕ ಹಕ್ಕುಬಾಧ್ಯತೆ ನಿರ್ಣಯದ ರೂಪದಲ್ಲಿರತಕ್ಕ ವಿಷಯವನ್ನು ಈ ಸಭೆಯು ಮುಂದೆ ಇತ್ಯರ್ಥಮಾಡಬೇಕೆಂದು ಇದೆ. ಆಂದಿನ ದಿನ ರಾಜ್ಯಪಾಲರ ಭಾಷಣದ ಸಮಯದಲ್ಲಿ ಸಭಾತ್ಯಾಗ ಮಾಡುವಾಗ ನಾನು ಒಂದೇ ಒಂದು ಮಾತನ್ನು ಹೇಳಿ ಸಭಾತ್ಯಾಗ ಮಾಡಿದೆ ಮತ್ತು ನನ್ನ ವಿರೋಧ ಪಕ್ಷದ ಎಲ್ಲ ಸದಸ್ಯರುಗಳು ನನ್ನ ಜೊತೆಯಲ್ಲಿಯೇ ಸಭಾತ್ಯಾಗ ಮಾಡಿದರು. ಹಾಗೆ ಸಭಾ ತ್ಯಾಗ ಮಾಡುವ ಸಮಯದಲ್ಲಿ ನಮಗೆ ಈ ನಿರ್ಣಯದಲ್ಲಿ ಕಾಣಿಸಿರತಕ್ಕ ಏನೊಂದು ವಾಕ್ಯವಿದೆ ಎಂದರೆ: "Showing disloyalty and unconstitutional measure"

ಇದರ ಲವಲೇಶವಾದ ಅಂಶವೂ ಕೂಡ ನಮ್ಮ ಮನಸ್ಸಿನಲ್ಲಿರಲಿಲ್ಲ. ಯಾವಾಗಲೂ ರಾಜ್ಯಪಾಲರ ಭಾಷಣದ ಮೇಲೆ ಅಗೌರವವನ್ನುಂಟು ಮಾಡಬೇಕು ಎಂದು ನಮಗೆ ಖಂಡಿತ ಇಲ್ಲ, ಮುಂದೂ ಕೂಡ ಇಲ್ಲ ಎಂದು ಇವೊತ್ತು ಈ ಸಭೆಯಲ್ಲಿ ಹೇಳಬಯಸುತ್ತೇನೆ. ತಾವೂ ಕೂಡ ಆವೊತ್ತು ನಡೆದಂತಹ ನಡೆವಳಿಕೆಗಳಿಂದ ರಾಜ್ಯಪಾಲರಿಗೆ ಅಗೌರವವಾದಂತಹ ವರ್ತನೆಯನ್ನು ಸಭೆಯಮುಂದೆ ತೋರಿಸಲಿಲ್ಲ. ಇವೊತ್ತು ಸಭೆಯಮುಂದೆ ಇಟ್ಟಿರುವ ನಿರ್ಣಯದಂತೆ ತಾವು ಅಗೌರವವಾಗಿದೆ ಅದಕ್ಕಾಗಿ ಇಂದು ಕಮಿಟಿಯ ಮುಂದೆ ಹೋಗಬೇಕು ಇದನ್ನು ವಿಶಾಲವಾಗಿ ಚರ್ಚೆ ಮಾಡಬೇಕು ಎಂದು ಇದರಲ್ಲಿ ಪ್ರಸ್ತಾಪ ಮಾಡಿದ್ದಾರೆ. ನಾನಾದರೂ ಸಭಾಪತಿಗಳ ಮೂಲಕ ಮಾನ್ಯ ಗೃಹಮಂತ್ರಿಗಳಿಗೆ ಸೂಚಿಸುವುದು, ಈ ಸಭೆಯ ಯಾವ ಸದಸ್ಯನೇ ಆಗಲಿ ರಾಜ್ಯಾಂಗಕ್ಕೆ ವಿರೋಧವಾಗಿ ವರ್ತನೆ ಮಾಡಿದರೆ ನಿಜವಾಗಿಯೂ ಅವರ ಮೇಲೆ ಉಗ್ರಕಾರ್ಯಕ್ರಮವನ್ನು ತೆಗೆದುಕೊಳ್ಳುವುದಕ್ಕೆ ನಾನು ಹಿಂದು ಮುಂದು ನೋಡುವುದಿಲ್ಲ ಮತ್ತು ಅಂತಹವರ ಮೇಲೆ ತಕ್ಕ ಕಾರ್ಯಕ್ರಮವನ್ನು ತೆಗೆದುಕೊಳ್ಳುವುದಕ್ಕೆ ತಯಾರಾಗಿದ್ದೇವೆ. ಆದರೆ ಇವೊತ್ತಿನ ದಿವಸ ಮಾದರಿ ಪಾರ್ಲಿಮೆಂಟಿನ ಪ್ರಜಾಪ್ರಭುತ್ವದಲ್ಲಿ ದೇಶಕ್ಕೇ ಮಾದರಿಯಾಗಿರುವ ಇಂಗ್ಲೆಂಡಿನ ಪ್ರಜಾಪ್ರಭುತ್ವವನ್ನು ನೀವು ಇಲ್ಲಿ ನೋಡಿಕೊಂಡು ಅನುಸರಿಸುತ್ತಿದ್ದಿರಿ. ಇಂಗ್ಲೆಂಡಿನಲ್ಲಿ ನೂರಾರು ವರ್ಷಗಳಿಂದರೂ ನಿರಂತರವಾಗಿ ಹೋರಾಡಿದ ಫಲವಾಗಿ ಸುವ್ಯವಸ್ಥಿತವಾದ ಪ್ರಜಾಪ್ರಭುತ್ವ ಇವೊತ್ತು ಆಲ್ಲದೆ.

Mr. SPEAKER.—Do you think that such a thing will happen in England ?

Sri C. J. MUKKANNAPPA.—Even worst things had happened.

Mr. SPEAKER.-Does he mean to say that worst things happen when the Queen or King addresses the Joint Session?

ಶ್ರೀ ಎಸ್. ಶಿವಪ್ಪ.—ಇಂಗ್ಲೆಂಡಿನಲ್ಲಿ ನೂರಾರು ವರ್ಷಗಳಿಂದ ನಿರಂತರವಾಗಿ ಹೋರಾಟ ನಡೆಸಿ ಸುವ್ಯವಸ್ಥಿತವಾದ ಪ್ರಜಾಪ್ರಭುತ್ವವನ್ನು ಇವೊತ್ತು ಈ ದೇಶದ ಪ್ರಜಾಪ್ರಭುತ್ವಕ್ಕೆ ಮಾದರಿಯಾಗಿಟ್ಟುಕೊಂಡು ಇವೊತ್ತು ಅಲ್ಲಿ ಅನುಸರಿಸುವರೀತಿ ನೀತಿಗಳನ್ನು ತಾವು ಗಮನಿಸಬೇಕಾದುದು ಬಹಳ ಮುಖ್ಯ. ನಮ್ಮ ರಾಜ್ಯಸರಕಾವು ಯಾವ ಪ್ರಜಾ ಪ್ರಭುತ್ವದ ನೀತಿಯನ್ನು ಇಂಗ್ಲೆಂಡಿನದು ಎಂದು ಹೇಳುತ್ತಿರೋ ಅದರಂತೆ ಇಲ್ಲಿ ಆದನ್ನು ಎಷ್ಟುಮಟ್ಟಿಗೆ ಕಾರ್ಯರೂಪದಲ್ಲಿ ತೋರಿಸುತ್ತಿದ್ದೀರಿ ಎನ್ನುವುದು ಎಲ್ಲಕ್ಕಿಂತಲೂ ಬಹಳ ದೊಡ್ಡ ಅಂಶ ಅನೇಕ ಪ್ರಚಲಿತ ಸಮಸ್ಯೆಗಳನ್ನು ಪರಿಹಾರ ಮಾಡತಕ್ಕ ಕಾರ್ಯಕ್ರಮದಲ್ಲಿ ಸರಕಾರ ತೋರಿಸತಕ್ಕ ಒಂದು ಅಸಡ್ಡೆಯ ನೀತಿಯನ್ನು ಈ ದೇಶದಲ್ಲಿ ನಡೆದಂತೆ ಯಾವ ದೇಶದಲ್ಲೂ ನಾವು ನೊಡುತ್ತಿಲ್ಲ. ಪ್ರಜಾಪ್ರಭುತ್ವದಲ್ಲಿ ಮಂತ್ರಿಗಳಾ

ಗಿದ್ದವರು ತಮ್ಮ ಮೇಲೆ ಬಂದಂತಹ ಸಣ್ಣದಾದಂತಹ ದೂರುಗಳಿಗಾಗಿ ತಮ್ಮ ಸ್ಥಾನವನ್ನು ಬಿಟ್ಟು ಹೋಗಿರುವ ನಿದರ್ಶನಗಳೂ ನಮ್ಮ ಮುಂದಿವೆ. ಈವೊತ್ತು ಪ್ರಜಾಪ್ರಭುತ್ವ ಇನ್ನೂ ಶೈಶವಾವಸ್ಥೆಯಲ್ಲಿದೆ. ಇಂತಹ ಪ್ರಜಾಪ್ರಭುತ್ವವನ್ನು ಇತರ ದೇಶಗಳೊಡನೆ ಹೋಲಿಸಿ ನೋಡಿದರೆ ಅದಕ್ಕೂ ಇದಕ್ಕೂ ಅಜಗಜಾಂತರ ವ್ಯತ್ಯಾಸಗಳಿವೆ. ಪ್ರಜಾಪ್ರಭುತ್ವದಲ್ಲಿ ನಮ್ಮನ್ನು ಆಳತಕ್ಕೆ ಸರಕಾರ ಜನಗಳಿಗೆ ತೊಡಕಾಗಿರುವ ಪ್ರಚಲಿತ ಸಮಸ್ಯೆಗಳನ್ನು ಬಗೆಹರಿಸುವ ವಿಷಯದಲ್ಲಿ ಅವರು ಅವಲಂಬಿಸಿ ಮಾಡುತ್ತಿರುವ ನೀತಿ ಸರಿಯಾಗಿಲ್ಲ. ಅಲ್ಲಿರುವ ನೀತಿಯನ್ನೇ ಇಲ್ಲಿಯೂ ಸ್ವಲ್ಪ ಅನುಕರಣೆ ಮಾಡಿದ್ದರೆ ಅದು ನ್ಯಾಯಸಮ್ಮತವಾಗಿರುತ್ತದೆ. ಆದರೆ ಯಾವ ಪ್ರಜಾಪ್ರಭುತ್ವದ ತತ್ವದ ನೀತಿಗೆ ಅನುಗುಣವಾಗಿ ಇಂಗ್ಲೆಂಡಿನಲ್ಲಿ ಪ್ರಜಾಪ್ರಭುತ್ವವನ್ನು ಅನುಸರಿಸುತ್ತಿದ್ದಾರೋ ಆದರಂತೆ ಇಲ್ಲಿ ಅನುಸರಿಸದೆ ವಿಫಲರಾಗಿದ್ದಾರೆ, ಇದು ಬಹಳ ಗಹನವಾದ ವಿಚಾರ. ರಾಜ್ಯ ಪಾಲರ ಭಾಷಣಕ್ಕೆ ನಾವೇನೂ ಅಡ್ಡಿ ಮಾಡಿಲ್ಲ ಎಂದು ಇಲ್ಲಿ ಎತ್ತಿ ಹೇಳುತ್ತಿದ್ದೇನೆ. ಯಾರಿಗೂ ಅಡ್ಡಿ ಮಾಡದೆ ಸಭಾತ್ಯಾಗ ಮಾಡಿದೆವು. ಬಹಳ ಶಾಂತಿಯಿಂದ ಹಾಗೂ ಶಿಸ್ತಿನಿಂದ ಮಾಡಿದೆವು ಎನ್ನುವುದನ್ನು ತಾವು ಆವಲೋಕನೆ ಮಾಡಬೇಕಾಗಿದೆ. ಎಲ್ಲಿಯೂ ಮಾಡದಂತಹ ಪರಿಸ್ಥಿತಿಯನ್ನೇನೂ ಉಂಟು ಮಾಡಿಲ್ಲ, ಶಾಂತ ರೀತಿಯಿಂದ ದೇಶದಲ್ಲಿರುವ ಜನಗಳ ಪರಿಸ್ಥಿತಿಯನ್ನು ಪ್ರದರ್ಶನ ಮಾಡುವುದು ರಾಜ್ಯಾಂಗದತ್ತವಾದ ನಮ್ಮ ಹಕ್ಕು. ನಮಗೆ ಅಂತಹ ರಾಜ್ಯಾಂಗದತ್ತವಾದ ಹಕ್ಕನ್ನು ಮೊಟಕು ಮಾಡಬೇಕೆಂದು, ಯಾವತ್ತೂ ಆದನ್ನು, ನಿರ್ಮೂಲನ ಮಾಡಬೇಕೆಂದು ಪ್ರಯತ್ನಿಸಬಾರದು. ತಾವು ತಮ್ಮ ಹೇಳಿಕೆಯನ್ನು ಶಾಸನ ಸಭೆಯ ಘನತೆ ಗೌರವಗಳನ್ನು, ರೀತಿ ನೀತಿಗಳನ್ನು ಗೌರವಿಸಿ ರಕ್ಷಣೆ ಮಾಡಬೇಕೆಂದು ಹೇಳುವುದನ್ನು ನಾನೂ ಒಪ್ಪುತ್ತೇನೆ. ಆವೊತ್ತು ಜಂಟೀ ಅಧಿವೇಶನದಲ್ಲಿ ನಡೆದಂತಹ ಕಾರ್ಯಕ್ರಮವನ್ನು ಯಾವ ರೀತಿ ಅನುಸರಿಸಬೇಕು ಎನ್ನುವುದಕ್ಕೆ ಈ ಸಭೆಯ ರೂಲ್ಸ್‌ನಲ್ಲಿ ಯಾವ ನಿಯಮಗಳೂ ಇಲ್ಲ. ಮತ್ತು ಯಾವ ರೀತಿಯಾದ ನಿಬಂಧನೆಯೂ ಇಲ್ಲ, ಅದನ್ನು ಯಾವ ರೀತಿ ಮಾಡಬೇಕೆಂಬುದಕ್ಕೆ ಒಂದು ಸರಿಯಾದ ದಾರಿ ತೋರಿಸಬೇಕಾಗಿದೆ.

ಅಧ್ಯಕ್ಷರು.—ಹಿಂದೆ ಆ ರೆಸಲ್ಯೂಷನ್ನು ಬಂದಾಗ ಏನೋ ಮಾತನಾಡುತ್ತೀರಿ. ಇದು ಬಂದಾಗ ಏನೋ ಮಾತನಾಡುತ್ತೀರಿ. All will go in to records.

ಶ್ರೀ ಎಸ್ ಶಿವಪ್ಪ.—ತಮಗೆ ಒಂದು ಸಲಹೆ ಕೊಡುತ್ತೇನೆ. ಈಗಲೂ ಇದಕ್ಕೆ ಕಾಲ ಮೀರಿಲ್ಲ. ತಾವು ಎಲ್ಲರನ್ನೂ ಸೇರಿಸಿ ಒಂದು ಸರ್ವಸಮ್ಮತವಾದ ನಿರ್ಣಯವನ್ನು ಮಾಡಬೇಕೆನ್ನುವ ಉದ್ದೇಶವಿಟ್ಟುಕೊಂಡಿದ್ದೀರಿ.

Mr. SPEAKER.—Have all members agreed to that resolution ? Is it going to be accepted unanimously?

ಶ್ರೀ ಎಸ್. ಶಿವಪ್ಪ.—ಇಂತಹ ಕಾಲದಲ್ಲಿ ಇದನ್ನು ತರುವುದು ಸರಿಯೇ ಎಂಬುದು ಏಮರ್ಜೆಯಾಗಬೇಕಾಗಿದೆ. ಇನ್ನು ಈ ನಿರ್ಣಯದ ಬಗ್ಗೆ ವಿಚಾರ ವಿನಿಮಯ ಮಾಡತಕ್ಕ ವಿಷಯ. ಇದನ್ನು ತಾವು ಕಮಿಟಿಗೆ ರೆಫರು ಮಾಡಬೇಕು ಎಂದು ಅಲ್ಲಿ ಒಂದು ತರಹದ ಹೊಸ ಸನ್ನಿವೇಶ ಕಲ್ಪನೆ ಮಾಡುವುದಕ್ಕಾಗಿ ಪ್ರಯತ್ನ ಮಾಡಿದ್ದೀರಿ. ಈ ಸಭೆಯಲ್ಲಿಯೇ ಏಕೀಕೃತವಾದ ಎಲ್ಲರಿಗೂ ಒಪ್ಪತಕಂತಹ ರೀತಿಯಲ್ಲಿ ಇದನ್ನು ಬಗೆಹರಿಸುವ ಪ್ರಯತ್ನ ಮಾಡಬೇಕು ಎಂದು ತಮ್ಮ ಮೂಲಕ ಸರಕಾರಕ್ಕೆ ನಮ್ರತೆಯಿಂದ ಪ್ರಾರ್ಥನೆ ಮಾಡುತ್ತೇನೆ.

Mr. SPEAKER.—I am not allowing any further Debate. I take the responsibility. The question is, whether it should be referred to a Committee or not. On that what is it that is going to be said in addition ?

Sri V. S. PATIL.—Sir, the fundamental question before the House is, whether our conduct was constitutional or unconstitutional. So, I should request you as well as the Leader of the House to get the opinion of the Advocate-General on this point, and he should come and address the Hon'ble Members on this particular point of constitutionality or disloyalty and that will help us to come to a certain conclusion.

Mr. SPEAKER.—Whether it is a constitutional point or not, is a point to be decided by this House and not by anybody else. But, on the point that we have to seek the opinion from a Court of Law, I beg to differ.

Sri V. S. PATIL.—Not the Court of Law, Sir.

Mr. SPEAKER.—Does the Member want to invite the judicial opinion on this point?

Sri V. S. PATIL.—So far as our conduct is concerned, judiciary has nothing to do; we are not going to surrender ourselves to the judiciary on that point. We want an expert opinion of the Member of this House and that Member according to the Constituion is the Advocate-General of the State to enlighten us whether it is constitutional or not. If you invite him, he can come here and express his opinion. That is why I should like to suggest and request you to call for the opinion off the Advocate-General according to the Constitution and let him enlighten us on this particular point.

Mr. SPEAKER.—My simple answer to that is, the Committee will take all the assistance that it requires. There is nothing which will prevent the Committee from taking such assistance. The primary point that is now before the House is, whether it should go to the Committee or not. From the Debate it is more than evident that there are points which have to be decided and conclusions arrived at. I am not asking the Advocate-General to come and explain. If the Members want they can go and consult him. I am not going to do it at this stage. Let the Report of the Committee come.

Sri GANJI VEERAPPA (Harihar).—This Resolution only seeks to request the House to agree that a Committee be constituted and this matter, *viz.*, the incident that took place when the Governor was addressing the Joint Session of the two Houses and whether the act of those Hon'ble Members in staging a walk-out amounts to a contempt of the House or showing disrespect to the Governor. This question is not new to this House only. Similar incidents have happened elsewhere in the other Legislatures including the Lok Sabha, where opinions have been expressed and Rulings have been given on this issue. With regard to this matter, the mover of the Privilege Motion, Mr. R. M. Patil, Hon'ble Minister for Home, has put only the facts in the Resolution. It is for the Committee to decide or to recommend on a closer examination of this aspect including the suggestion given by the Hon'ble Member, Sri V. S. Patil, *viz.*, to take the opinion of the Advocate-General. After that is done, it will come to us and we can discuss and take a decision. It is undisputed that it violates the Constitution, the provisions of articles 175, 176 and 177, *viz.*, when the Governor rises to perform the obligatory act laid upon him by the Constitution, when an obstruction takes place, whether it would amount to disrespect or not, is a matter for close examination. Even Mr. Krishna said that the Committee has to go in to all the aspects and there cannot be any objection. Even from the procedural point of view, in fact, that matter has been mentioned in the Resolution. If there is any departure with regard to the procedural and constitutional aspect, as my friend Mr. G. V. Gowda pointed out, or whether it is constitutional or not, it is for the Committee to decide. We have to lay down a healthy prece-

dence and therefore it is better that the matter goes to the Committee. I support the Resolution so that we may examine the whole matter constitutionally.

(Sri K. S. Suryanarayana Rao stood up.)

MR. SPEAKER.—I am not allowing.

SRI K. S. SURYANARAYANA RAO (Mysore City).—Sir, if we have the permission of the Speaker to express our views, we will express our views. If the Speaker says: 'we should not', we don't have it. We respect the Speaker's Ruling.

MR. SPEAKER.—But, he must put himself in the position of the Speaker and think about it. This is going only to the Committee, and and it will come back from the Committee. I would suggest him to please appear before the Committee if he wants.

SRI K. S. SURYANARAYANA RAO.—I want to express my opinion because I have my own doubt as to.....

MR. SPEAKER.—What is going to happen if there are doubts? Does he doubt the position that it should not be referred to a Committee? Is it his opinion that it should not be referred to the Committee?

SRI K. S. SURYANARAYANA RAO.—That is my doubt.

MR. SPEAKER.—So, it should not go to the Committee!

SRI K. S. SURYANARAYANA RAO.—Yes, Sir. What happened on the day the Legislature started is not disputed. According to the wording of Resolution, it is said that it is an act against the Constitution.

MR. SPEAKER.—The point is whether it should be referred to the Committee or not, but not the merits,

SRI K. S. SURYANARAYANA RAO.—I don't go to the merits at all.

MR. SPEAKER.—Why should it not be referred to the Committee?

SRI K. S. SURYANARAYANA RAO,—That is what I am going to say.

MR. SPEAKER.—The Resolution says that it is an act against the Constitution.

SRI K. S. SURYANARAYANA RAO.—That is exactly my doubt. If it is an act against the Constitution, then there is the forum or the place where such an act took place and what consequences.....

MR. SPEAKER.—Which is the form? I am not aware of it.

SRI K. S. SURYANARAYANA RAO.—I would like to enlighten the Speaker and express my views to the capacity I have, not that I will be able to convince the Speaker.

MR. SPEAKER.—His views on all points and on everything are not relevant. Which is the forum that has to decide it?

Sri K. S. SURYANARAYANA RAO.—That is exactly what I intend to say. The Governor summoned us as per Article 176(i) which provides the right for the Governor to call us to a meeting. Article 176(2) says :

> " Provision shall be made by the rules regulating the procedure of the House or either House for the allotment of time for discussion of the matters referred to in such address."

Our Constitution does not provide a procedure to be followed at a Joint Session. What is the procedure to be followed at a Joint Session or at a Session where the Governor addresses the Legislature, is, I believe, has been by conventions and not by Rules. If there are no Rules of Procedure as to the conduct of the Members, as to the conduct of the Presiding Officers or as to the conduct of the Governor himself, then we ought to go by the precedents. That is point No. 1. Therefore whatever takes place, according to me at such a meeting is outside the purview of this House because the rules of procedure are prescribed by this House for the conduct of business or the affairs of this House. Until such time the procedure is not decided, then the Governor prescribes the rules to be followed here and in the case of Parliament the President prescribes the rules to be followed.

Mr. SPEAKER.—I suppose the Hon'ble Member has to tell me and the House what that forum is.

Sri C. J. MUCKANNAPPA.—The House then was in the custody of the Governor and perhaps he means that the Governor has to summon again and in the Joint Session this has to be decided.

Mr. SPEAKER.—Is Sri K. S. Suryanarayana Rao having Sri C. J, Muckannappa as advocate to explain his views ?

Sri K. S. SURYANARAYANA RAO.—The point I am making is this ! Whatever matters we deliberate in this House.....

Mr. SPEAKER.—On that day nobody is responsible to anybody. Is that his contention ?

Sri K. S. SURYANARAYANA RAO.—I do not wish to draw conclusions and I leave conclusions to be drawn by persons who take decisions.

Mr. SPEAKER.—It is not giving them a chance to consider. He says it should not go to them.

Sri K. S. SURYANARAYANA RAO.—Why I say it should net go to them is this.

Mr. SPEAKER.—He can give reasons apart. But he is saying it should not go to the Committee.

Sri K. S. SURYANARAYANA RAO.—Because we have to follow the procedure laid down by the Constitution. The Constitution says that for acts done inside this House, this House is supreme and it has the privilege to discuss and to decide about the conduct and privileges of Members and the affairs so far as State matters are concerned. For matters that are outside this Legislature, the Constitution also prescribes the procedure. The Constitution says whatever there is doubt or where there is apprehension that an act of Government or any person, any

public authority or otherwise is against the Constitution, then the decision on that issue is a matter that is left to the judiciary. That is the provision that we have in the Constitution. Several acts of the executive Government are challenged in the High Court and that of the Union Parliament or Union Executive in the Supreme Court on the ground that they are unconstitutional and they are against constitution and there are instances and instances where the Supreme Court and the High Court have struck down the orders of this Government on the ground that they are against the Constitution. Therefore, whatever acts done outside this House or matters outside the purview of this House are matters that could be decided or opinion expressed or decision taken by the High Court or the Supreme Court in the case of Parliament. On any matters which are governed by the Rules of Procedure of this House which we have prescribed for our own conduct, we are governed by ourselves and the High Court will have no jurisdiction. Therefore, according to my submission, this is an act that took place outside the Legislature because what is a sitting of the Legislature is also defined by our rules and according to our rules of procedure this House had not been duly constituted to carry out proceedings of this House. We only come into the picture to discuss the speech of the Governor only after the Governor had left and when the Speaker presides and this House takes up the discussion of the Governor's Address. Therefore, Sir, according to me, there is nothing unconstitutional so far as this House is concerned. If things have happened outside this House, the procedure that we would be following in this House would be unconstitutional. Therefore, I would earnestly request the Hon'ble Speaker to consider this aspect of the case before giving consent for the resolution to be taken up.

MR. SPEAKER.—Except for the circumstance that certain events did happen, I would not have taken the opportunity of addressing this House now on this point. This happened on 12th January 1965 and the House is aware and every member is aware how many times it was mentioned. The resolution was postponed so that the members might study and come to some conclusion and members might agree among themselves. I said on one occasion that it will be taken on a particular day. But Members suggested not on that day, but some other day. It was postponed. After that it was again postponed. A third time it was postponed. In order to facilitate the study by members, I took the trouble of studying the whole matter and placed the entire relevant literature before the House. It is possible that there might be divergence of opinion. I do not venture to say that others are wrong, and I am right. I am not going to decide it; it is not my duty either. Even if it goes to a Committee, I am not there in the Committee and my opinion does not prevail. As Speaker of the House, it is my duty to help the members with regard to precedents. I have cited two precedents in my note and if any Members cared to read them, they would find out that all these doubts have been expressed there. It is not binding on them. They are perfectly at liberty to point out that the House should decide like this, and we want this. In other words, we have to decide whether

(MR. SPEAKER)

there should be any procedure, whether conduct of this type should be encouraged so that for the present and future, there might be something definite and everybody might know how he has to do it. My friend Sri K. S. Suryanarayana Rao referred to article 176 (1) and (2). The rules that are to be framed there are with regard to the time, how it is to be spent in discussing the contents of the speech. It was also mentioned that if the Head of the State is assisted by a Council of Ministers and if the speech that is read there can be criticised, then why not the Head ? There is considerable difference and fallacy in it. I am not going to analyse it. If it ever goes to the Committee, it will do it. If the Governor has got his own duties and his own responsibilities, I do not think there is going to be anything like no-confidence motion against the Governor. Unconstitutional acts of the Ministers are to be set right in various ways. Does it apply to the Governor who is the Head of the State ? That is why all this was done. My efforts seem to have not borne any satisfaction. Therefore I am not entering into the controversy. I will simply put it to the vote of the House and let the House come to the decision. The question is :

"That a Committee of this House be appointed to examine in all its procedural and constitutional aspects of conduct of certain members on 12th January 1965 when the members of both House were assembled together just before the Governor began to address them in pursuance of the Constitutional obligation on him under article 176 (1) created interruption and made affront by a walk-out, protesting the address and thereby committed an unconstitutional act and showed disloyalty to the Constitution and disrespect to the State and lowered the dignity and decorum of this August House and to report what action if any should be taken against them and the following Members of this House shall be the Members of the Committee :

1. Major D'Mellow.
2. Sri A. P. Appanna
3. Sri N. Hutchmasthi Gowda
4. Sri M. Srinivas Naik
5. Sri S. Rudrappa
6. Sri D. M. Siddiah
7. Sri G. Duggappa
8. Sri Ganji Veerappa
9. Sri T. Madiah Gowda
10. Srimathi K. S. Nagarathnamma
11. Sri D. Venkataramaiah
12. Sri C. M. Desai
13. Sri M. R. Patil
14. Sri A. R Panchagavi
15. Sri R. M. Patil."

Those that walked out on that day cannot possibly be included in the Committee.

ಶ್ರೀ ಎಸ್. ಶಿವಪ್ಪ.—ಅಧ್ಯಕ್ಷರೇ, ಈ ಸಭೆಯಲ್ಲಿ ಈಗ ಏಕಪಕ್ಷೀಯವಾದ ನಿರ್ಣಯವನು ನೂಚಿಸುವುದಕ್ಕಾಗಿ ನಾವು.....

Mr. SPEAKER.—Not when I am on my legs. Order, Order, Order,

(The Leader of the Opposition was still standing and attempting to say something.)

Mr. SPEAKER.—I cannot possibly understand the Leader of the Opposition behaving like this. This is a most contumacious conduct when the Speaker is on his legs. He must resume his seat. No Member should go out. What is the use of the rule ? He calls it fundamental right and that is what he did against the Governor !

The motion was adopted.

2.30 P.M.

ಶ್ರೀ ಎಸ್. ಶಿವಪ್ಪ.—ಈ ನಿರ್ಣಯದಲ್ಲಿ ಏಕ ಪಕ್ಷೀಯವಾದ ಕಮಿಟಿಯನ್ನು ಮಾಡಿರುವುದರ ವಿರುದ್ಧ ನಮ್ಮ ಪ್ರತಿಭಟನೆಯನ್ನ ನೂಚಿಸುವ ನಲುವಾಗಿ ವಿರೋಧ ಪಕ್ಷದ ಸದಸ್ಯರೆಲ್ಲರೂ ಸಭಾ ತ್ಯಾಗ ಮಾಡುತ್ತೇವೆ.

Mr. SPEAKER.—If the Members think that they can let loose what comes uppermost in their mind, they are mistaken.

(At this stage, all Members of the Opposition withdrew from the House.)

BUDGET—ESTIMATES FOR 1965-66—DEMANDS FOR GRANTS

DEMAND NO. 20. AGRICULTURE

Sri G. NARAYANA GOWDA (Minister for Agriculture).—Sir, on the recommendation of the Governor of Mysore, I beg to move :

> That a sum not exceeding Rs. 4,86,08,000 be granted to the Government to defray the charges which will come in course of payment during the financial year for the period ending 31st day of March 1966 in respect of 'Agriculture'.

Mr. SPEAKER.—Motion moved :

> That a sum not exceeding Rs. 4,86,08,000 be granted to the Government to defray the charges which will come in course of payment during the financial year for the period ending 31st day of March 1966 in respect of 'Agriculture'.

Demands No. 21, 23, 25, 38, 39 and 51 are also before the House for consideration.